

## **APPENDIX B – AIR QUALITY REPORT**

# **Air Quality Technical Report** **for** **State Route 126 from East** **Center Street to Interstate 81** **Sullivan County**

PIN: 105467.00

Project: 82085-1225-14

Completed By:



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## TABLE OF CONTENTS

Executive Summary .....	1
1.0 Introduction .....	1
2.0 Air Quality Evaluation .....	1
2.1 National Ambient Air Quality Standards (NAAQS) .....	1
2.2 Transportation Conformity .....	3
2.3 Mobile Source Air Toxics (MSATs) .....	3
2.4 Greenhouse Gas Emissions (Climate Change) .....	4
2.4.1 Mitigation for Global GHG Emissions .....	6
2.4.2 Summary .....	7
2.5 Construction Air Quality .....	7
2.6 Indirect and Cumulative Effects .....	7
3.0 References .....	7
Appendix A: MSATs Background Information	

## LIST OF FIGURES

Figure 1: Project Area .....	2
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## EXECUTIVE SUMMARY

The air quality evaluation was conducted in accordance with Section 5.3.5 (Air Quality) of the *Tennessee Environmental Procedures Manual*. The study concluded that the project is located in an area that is in attainment of the National Ambient Air Quality Standards (NAAQS) for all regulated criteria pollutants. Therefore, the project is not subject to conformity. The evaluation also concluded that the project will have no adverse Mobile Source Air Toxics (MSATs) effects.

### 1.0 INTRODUCTION

This report summarizes the results of an analysis of the potential air quality effects of the project. The purposes of this analysis are to address the transportation conformity requirements for the project, the potential Mobile Source Air Toxics (MSATs) effects, the relationship of this project to global climate change, and construction air quality.

The Preferred Alternative involves the widening and reconstruction of Memorial Boulevard (SR 126) from East Center Street to Interstate 81 (I-81) for a distance of approximately 8.4 miles. The project area is shown in Figure 1.

Specifically, the Preferred Alternative includes four travel lanes (two in each direction) from East Center Street to Harbor Chapel Road. From Harbor Chapel to I-81, the Preferred Alternative includes two travel lanes (one in each direction). There is an additional eastbound travel lane from Harbor Chapel Road to Old Stage Road to accommodate trucks ascending the steep grade. There will be a continuous left-turn lane separating the two travel lanes from Old Stage Road to Harr Town Road.

### 2.0 AIR QUALITY EVALUATION

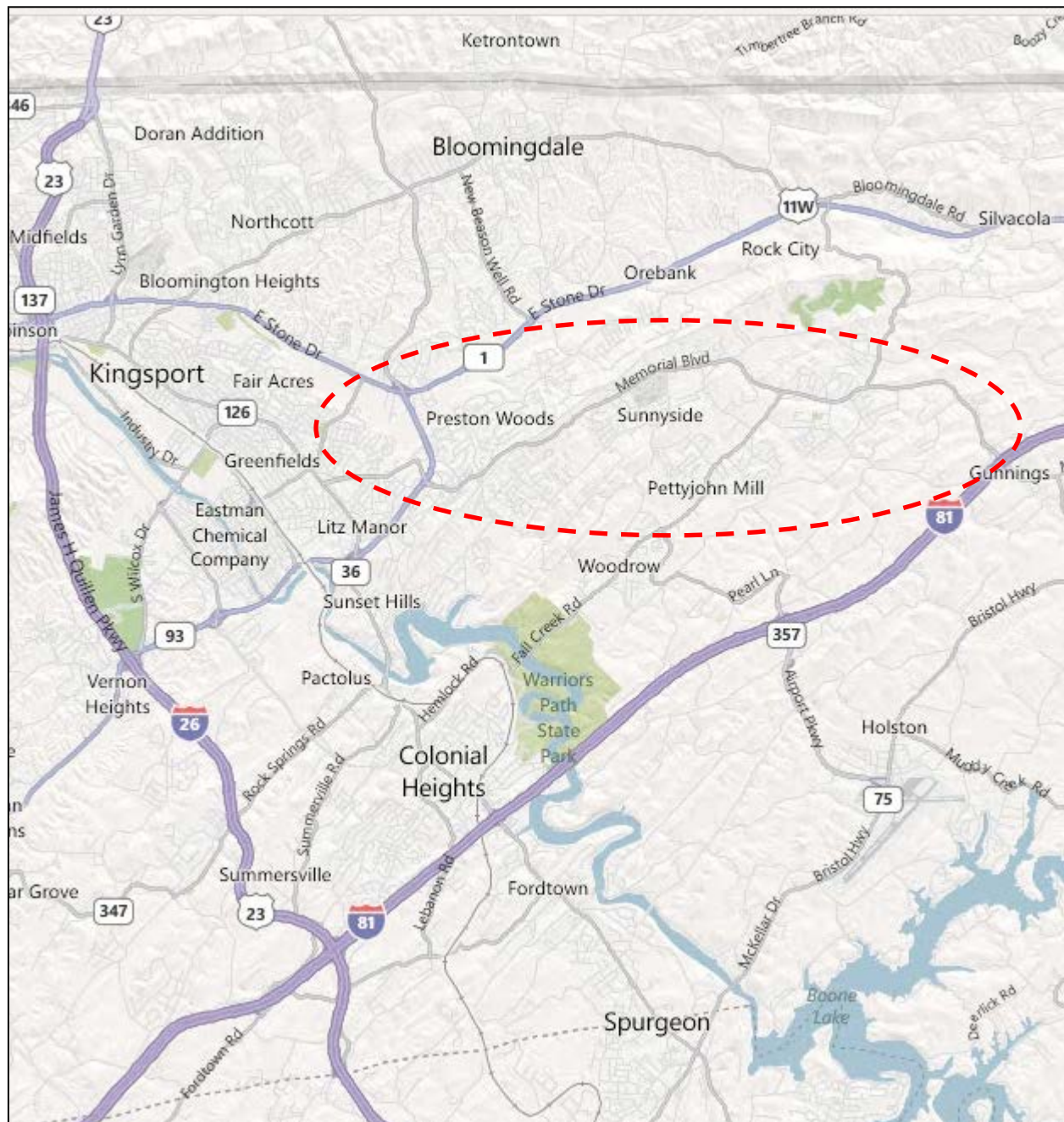
This study was conducted in accordance with Section 5.3.5 (Air Quality) of the *Tennessee Environmental Procedures Manual* [1].

#### 2.1 National Ambient Air Quality Standards (NAAQS)

The United States Environmental Protection Agency (EPA) has established allowable concentrations and exposure limits called the National Ambient Air Quality Standards (NAAQS) for various “criteria” pollutants. These pollutants include carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), ozone (O<sub>3</sub>), particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), sulfur oxides (SO<sub>x</sub>), and lead (Pb).

In accordance with the Clean Air Act Amendments of 1990 (CAAA of 1990), EPA identified areas that did not meet the NAAQS for the criteria pollutants and designated them as “nonattainment” areas. Once a nonattainment area meets the NAAQS, it is redesignated as a “maintenance” area.

Sullivan County is in attainment for all transportation-related criteria pollutants.



**Figure 1: Project Area**

## **2.2    *Transportation Conformity***

Transportation conformity is a process required of Metropolitan Planning Organizations (MPOs) pursuant to the Clean Air Act Amendments (CAAA) of 1990. CAAA require that transportation plans, programs, and projects in nonattainment or maintenance areas that are funded or approved by the Federal Highway Administration (FHWA) be in conformity with the State Implementation Plan (SIP), which represents the State's plan to either achieve or maintain the National Ambient Air Quality Standard (NAAQS) for a particular pollutant.

Projects conform to the SIP if they are included in a fiscally constrained and conforming Long Range Transportation Plan (LRTP) or Transportation Improvement Program (TIP).

This project is located in Sullivan County which is in attainment for all transportation-related criteria pollutants. Therefore, conformity does not apply to this project.

## **2.3    *Mobile Source Air Toxics (MSATs)***

On February 3, 2006, the FHWA released "*Interim Guidance on Air Toxic Analysis in NEPA Documents.*" This guidance was superseded on September 30, 2009 and most recently on December 6, 2012 by FHWA's "*Interim Guidance Update on Air Toxic Analysis in NEPA Documents.*" [2] The purpose FHWA's guidance is to advise on when and how to analyze Mobile Source Air Toxics (MSATs) in the NEPA process for highways. This guidance is interim, because MSAT science is still evolving. As the science progresses, FHWA will update the guidance.

The qualitative analysis presented below provides a basis for identifying and comparing the potential differences among MSAT emissions, if any, for the various alternatives. The assessment is derived in part from a study conducted by the FHWA entitled "*A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives.*" [3] Additional information regarding MSATs is provided in Appendix A.

FHWA's Interim Guidance groups projects into the following categories:

- Exempt Projects and Projects with no Meaningful Potential MSAT Effects;
- Projects with Low Potential MSAT Effects; and,
- Projects with Higher Potential MSAT Effects.

FHWA's Interim Guidance provides examples of "Projects with Low Potential MSAT Effects." These projects include minor widening projects and new interchanges, such as those that replace a signalized intersection on a surface street or where design year traffic projections are less than 140,000 to 150,000 AADT (Annual Average Daily Traffic).

The Preferred Alternative includes the widening of SR 126 in some locations and the improvement of SR 126 in other locations. The highest projected design year 2037 AADT on SR 126 is 20,380 and substantially lower than the FHWA criterion. Therefore, the project meets the criteria for a "Project with Low Potential MSAT Effects."

For both the No-Build and Preferred Alternatives, the amount of MSATs emitted would be proportional to the vehicle miles traveled, or VMT, assuming that other variables such as fleet mix are the same for each alternative. The estimated VMT for the Preferred Alternative is essentially the same as the VMT for the No-Build Alternative. Therefore, it is expected that there would be no appreciable difference in overall MSAT emissions between the No-Build and Preferred Alternatives.

Any emissions increases would also be offset somewhat by lower MSAT emission rates due to increased speeds; according to EPA's MOVES2010b model, emissions of all of the priority MSAT decrease as speed increases. Travel speeds for the Preferred Alternative are expected to be higher than for the No-Build Alternative.

Also, regardless of the alternative chosen, emissions will likely be lower than present levels in the design year as a result of EPA's national control programs that are projected to reduce annual MSAT emissions by over 80 percent between 2010 and 2050. Local conditions may differ from these national projections in terms of fleet mix and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in nearly all cases.

The additional travel lanes contemplated for the Preferred Alternative will have the effect of moving some traffic closer to nearby sensitive land uses; therefore, under the Preferred Alternative there may be localized areas where ambient concentrations of MSATs could be higher than under the No-Build Alternative.

However, the magnitude and the duration of these potential increases compared to the No-Build Alternative cannot be reliably quantified due to incomplete or unavailable information in forecasting project-specific MSAT health impacts.

In sum, when a highway is widened, the localized level of MSAT emissions for the Preferred Alternative could be higher relative to the No-Build Alternative, but this could be offset due to increases in speeds and reductions in congestion (which are associated with lower MSAT emissions). Also, MSATs will be lower in other locations when traffic shifts away from them. However, on a regional basis, EPA's vehicle and fuel regulations, coupled with fleet turnover, will cause substantial reductions over time that, in almost all cases, will cause region-wide MSAT levels to be significantly lower than today.

Substantial construction-related MSAT emissions are not anticipated for this project as construction is not planned to occur over an extended building period. However, construction activity may generate temporary increases in MSAT emissions in the project area.

## **2.4 Greenhouse Gas Emissions (Climate Change)**

Climate change is an important national and global concern. While the earth has gone through many natural changes in climate in its history, there is general agreement that the earth's climate is currently changing at an accelerated rate and will continue to do so for the foreseeable future. Anthropogenic (human-caused) greenhouse gas (GHG) emissions contribute to this rapid

change. Carbon dioxide (CO<sub>2</sub>) makes up the largest component of these GHG emissions. Other prominent transportation GHGs include methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O).

Many GHGs occur naturally. Water vapor is the most abundant GHG and makes up approximately two-thirds of the natural greenhouse effect. However, the burning of fossil fuels and other human activities are adding to the concentration of GHGs in the atmosphere. Many GHGs remain in the atmosphere for time periods ranging from decades to centuries. GHGs trap heat in the earth's atmosphere. Because atmospheric concentration of GHGs continues to climb, our planet will continue to experience climate-related phenomena. For example, warmer global temperatures can cause changes in precipitation and sea levels.

To date, no national standards have been established regarding GHGs, nor has EPA established criteria or thresholds for ambient GHG emissions pursuant to its authority to establish motor vehicle emission standards for CO<sub>2</sub> under the Clean Air Act. However, there is a considerable body of scientific literature addressing the sources of GHG emissions and their adverse effects on climate, including reports from the Intergovernmental Panel on Climate Change, the US National Academy of Sciences, and the EPA and other Federal agencies. GHGs are different from other air pollutants evaluated in Federal environmental reviews because their impacts are not localized or regional due to their rapid dispersion into the global atmosphere, which is characteristic of these gases. The *affected environment* for CO<sub>2</sub> and other GHG emissions is the entire planet. In addition, from a quantitative perspective, global climate change is the cumulative result of numerous and varied emissions sources (in terms of both absolute numbers and types), each of which makes a relatively small addition to global atmospheric GHG concentrations. In contrast to broad scale actions such as actions involving an entire industry sector or very large geographic areas, it is difficult to isolate and understand the GHG emissions impacts for a particular transportation project. Furthermore, presently there is no scientific methodology for attributing specific climatological changes to a particular transportation project's emissions.

Under NEPA, detailed environmental analysis should be focused on issues that are significant and meaningful to decision-making.[1] FHWA has concluded, based on the nature of GHG emissions and the exceedingly small potential GHG impacts of the proposed action, that the GHG emissions from the proposed action will not result in "reasonably foreseeable significant adverse impacts on the human environment" (40 CFR 1502.22(b)). The GHG emissions from the project build alternatives will be insignificant, and will not play a meaningful role in a determination of the environmentally preferable alternative or the selection of the preferred alternative. More detailed information on GHG emissions "is not essential to a reasoned choice among reasonable alternatives" (40 CFR 1502.22(a)) or to making a decision in the best overall public interest based on a balanced consideration of transportation, economic, social, and environmental needs and impacts (23 CFR 771.105(b)). For these reasons, no alternatives-level GHG analysis has been performed for this project.

The context in which the emissions from the proposed project will occur, together with the expected GHG emissions contribution from the project, illustrate why the project's GHG emissions will not be significant and will not be a substantial factor in the decision-making. The transportation sector is the second largest source of total GHG emissions in the U.S., behind electricity generation. The transportation sector was responsible for approximately 27 percent of all

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<sup>1</sup> See 40 CFR 1500.1(b), 1500.2(b), 1500.4(g), and 1501.7

anthropogenic GHG emissions in the U.S. in 2009.[2] The majority of transportation GHG emissions are the result of fossil fuel combustion. U.S. CO<sub>2</sub> emissions from the consumption of energy accounted for about 18 percent of worldwide energy consumption CO<sub>2</sub> emissions in 2010.[3] U.S. transportation CO<sub>2</sub> emissions accounted for about 6 percent of worldwide CO<sub>2</sub> emissions.[4] However, while the contribution of GHGs from transportation in the U.S. as a whole is a large component of U.S. GHG emissions, as the scale of analysis is reduced the GHG contributions become quite small.

#### 2.4.1 Mitigation for Global GHG Emissions

To help address the global issue of climate change, USDOT is committed to reducing GHG emissions from vehicles traveling on our nation's highways. USDOT and EPA are working together to reduce these emissions by substantially improving vehicle efficiency and shifting toward lower carbon intensive fuels. The agencies have jointly established new, more stringent fuel economy and first ever GHG emissions standards for model year 2012-2025 cars and light trucks, with an ultimate fuel economy standard of 54.5 miles per gallon for cars and light trucks by model year 2025. Further, on September 15, 2011, the agencies jointly published the first ever fuel economy and GHG emissions standards for heavy-duty trucks and buses.[5] Increasing use of technological innovations that can improve fuel economy, such as gasoline- and diesel-electric hybrid vehicles, will improve air quality and reduce CO<sub>2</sub> emissions in future years.

Consistent with its view that broad-scale efforts hold the greatest promise for meaningfully addressing the global climate change problem, FHWA is engaged in developing strategies to reduce transportation's contribution to GHGs—particularly CO<sub>2</sub> emissions—and to assess the risks to transportation systems and services from climate change. In an effort to assist States and MPOs in performing GHG analyses, FHWA has developed a *Handbook for Estimating Transportation GHG Emissions for Integration into the Planning Process*. The Handbook presents methodologies reflecting good practices for the evaluation of GHG emissions at the transportation program level, and will demonstrate how such evaluation may be integrated into the transportation planning process. FHWA has also developed a tool for use at the statewide level to model a large number of GHG reduction scenarios and alternatives for use in transportation planning, climate action plans, scenario planning exercises, and in meeting state GHG reduction targets and goals. To assist states and MPOs in assessing climate change vulnerabilities to their transportation networks, FHWA has developed a draft vulnerability and risk assessment conceptual model and has piloted it in several locations.

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2 Calculated from data in U.S. Environmental Protection Agency, Inventory of Greenhouse Gas Emissions and Sinks, 1990-2009.

3 Calculated from data in U.S. Energy Information Administration International Energy Statistics, Total Carbon Dioxide Emissions from the Consumption of Energy, <http://www.eia.gov/cfapps/ipdbproject/IEDIndex3.cfm?tid=90&pid=44&aid=8>, accessed 9/12/11.

4 Calculated from data in EIA figure 104: [http://205.254.135.24/oiaf/ieo/graphic\\_data\\_emissions.html](http://205.254.135.24/oiaf/ieo/graphic_data_emissions.html): <http://epa.gov/climatechange/emissions/downloads11/US-GHG-Inventory-2011-Executive-Summary.pdf>

5 For more information on fuel economy proposals and standards, see the National Highway Traffic Safety Administration's Corporate Average Fuel Economy website: <http://www.nhtsa.gov/fuel-economy/>.

### 2.4.2 Summary

This document does not incorporate an analysis of the GHG emissions or climate change effects of each of the alternatives because the potential change in GHG emissions is very small in the context of the affected environment. Because of the insignificance of the GHG impacts, those impacts will not be meaningful to a decision on the environmentally preferable alternative or to a choice among alternatives. As outlined above, FHWA is working to develop strategies to reduce transportation's contribution to GHGs—particularly CO<sub>2</sub> emissions—and to assess the risks to transportation systems and services from climate change. FHWA will continue to pursue these efforts as productive steps to address this important issue. Finally, the construction best practices described above represent practicable project-level measures that, while not substantially reducing global GHG emissions, may help reduce GHG emissions on an incremental basis and could contribute in the long term to meaningful cumulative reduction when considered across the Federal-aid highway program.

## 2.5 Construction Air Quality

This project will result in the temporary generation of construction-related pollutant emissions and dust that could result in short-term air quality impacts. These construction-related impacts will be mitigated through the implementation of Best Management Practices, which are included in *TDOT's Standard Specifications for Road and Bridge Construction*. All construction equipment shall be maintained, repaired, and adjusted to keep it in full satisfactory condition to minimize pollutant emissions.

## 2.6 Indirect and Cumulative Effects

The forecasted traffic volumes for most projects typically account for any redistribution of traffic that would occur as a result of the project. Therefore, the air quality analysis addresses any indirect traffic-related air quality impacts that might occur.

Additionally, the forecasted traffic volumes include expected traffic growth and other planned and programmed projects in the area. As a result, the air quality analysis addresses the traffic-related cumulative air quality impacts of the project.

## 3.0 REFERENCES

- [1] *Tennessee Environmental Procedures Manual*, Tennessee Department of Transportation.  
<http://www.tdot.state.tn.us/epm/>
- [2] *Interim Guidance Update on Air Toxic Analysis in NEPA Documents*, FHWA, December 6, 2012.  
[http://www.fhwa.dot.gov/environment/air\\_quality/air\\_toxics/policy\\_and\\_guidance/aqintguidmem.cfm](http://www.fhwa.dot.gov/environment/air_quality/air_toxics/policy_and_guidance/aqintguidmem.cfm)
- [3] Claggett, M., et. al., "A Methodology for Evaluating Mobile Source Air Toxic Emissions Among Transportation Project Alternatives," Federal Highway Administration, Resource Center.

**Appendix A**  
**MSATs Background Information**

## **MOBILE SOURCE AIR TOXICS (MSATs)**

### ***Background***

Controlling air toxic emissions became a national priority with the passage of the Clean Air Act Amendments (CAAA) of 1990, whereby Congress mandated that the U.S. Environmental Protection Agency (EPA) regulate 188 air toxics, also known as hazardous air pollutants. The EPA has assessed this expansive list in their latest rule on the Control of Hazardous Air Pollutants from Mobile Sources (Federal Register, Vol. 72, No. 37, page 8430, February 26, 2007), and identified a group of 93 compounds emitted from mobile sources that are listed in their Integrated Risk Information System (IRIS) (<http://www.epa.gov/iris/>). In addition, EPA identified seven compounds with significant contributions from mobile sources that are among the national and regional-scale cancer risk drivers from their 1999 National Air Toxics Assessment (NATA) (<http://www.epa.gov/ttn/atw/nata1999/>). These are acrolein, benzene, 1,3-butadiene, diesel particulate matter plus diesel exhaust organic gases (diesel PM), formaldehyde, naphthalene, and polycyclic organic matter. While FHWA considers these the priority mobile source air toxics, the list is subject to change and may be adjusted in consideration of future EPA rules. The 2007 EPA rule mentioned above requires controls that will dramatically decrease MSAT emissions through cleaner fuels and cleaner engines. According to an FHWA analysis using EPA's MOBILE6.2 model, even if vehicle activity (vehicle-miles travelled, VMT) increases by 145 percent as assumed, a combined reduction of 72 percent in the total annual emission rate for the priority MSAT is projected from 1999 to 2050, as shown in Figure 1.

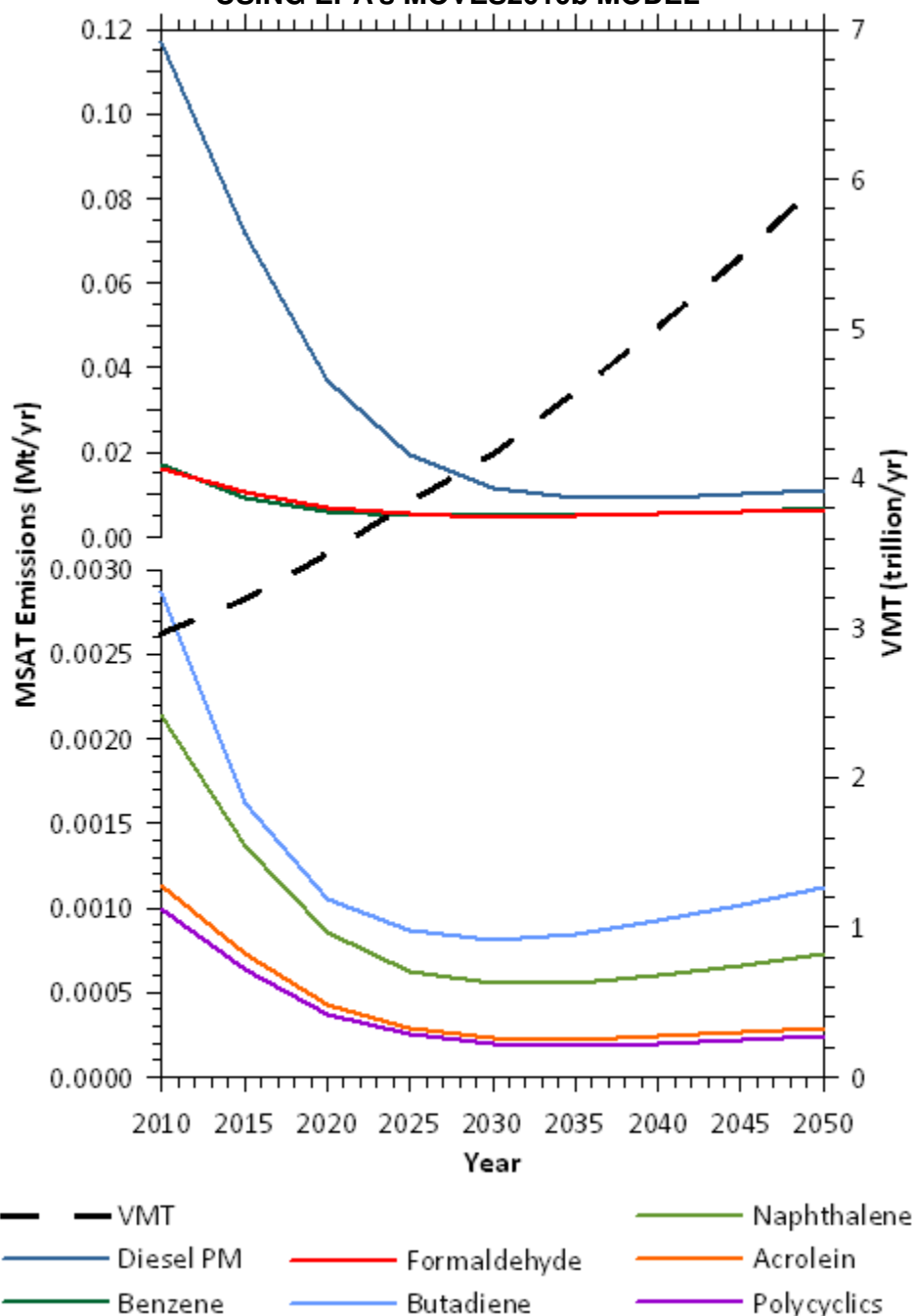
### ***Motor Vehicle Emissions Simulator (MOVES)***

According to EPA, MOVES improves upon the previous MOBILE model in several key aspects: MOVES is based on a vast amount of in-use vehicle data collected and analyzed since the latest release of MOBILE, including millions of emissions measurements from light-duty vehicles. Analysis of this data enhanced EPA's understanding of how mobile sources contribute to emissions inventories and the relative effectiveness of various control strategies. In addition, MOVES accounts for the significant effects that vehicle speed and temperature have on PM emissions estimates, whereas MOBILE did not. MOVES2010b includes all air toxic pollutants in NATA that are emitted by mobile sources. EPA has incorporated more recent data into MOVES2010b to update and enhance the quality of MSAT emission estimates. These data reflect advanced emission control technology and modern fuels, plus additional data for older technology vehicles.

Based on an FHWA analysis using EPA's MOVES2010b model, as shown in Figure 1, even if vehicle-miles travelled (VMT) increases by 102 percent as assumed from 2010 to 2050, a combined reduction of 83 percent in the total annual emissions for the priority MSAT is projected for the same time period.

The implications of MOVES on MSAT emissions estimates compared to MOBILE are: lower estimates of total MSAT emissions; significantly lower benzene emissions; significantly higher diesel PM emissions, especially for lower speeds. Consequently, diesel PM is projected to be the dominant component of the emissions total.

**Figure 1: NATIONAL MSAT EMISSION TRENDS 1999 - 2050  
FOR VEHICLES OPERATING ON ROADWAYS  
USING EPA's MOVES2010b MODEL**



Note: Trends for specific locations may be different, depending on locally derived information representing vehicle-miles travelled, vehicle speeds, vehicle mix, fuels, emission control programs, meteorology, and other factors  
Source: EPA MOVES2010b model runs conducted during May - June 2012 by FHWA.

### **MSAT Research**

Air toxics analysis is a continuing area of research. While much work has been done to assess the overall health risk of air toxics, many questions remain unanswered. In particular, the tools and techniques for assessing project-specific health outcomes as a result of lifetime MSAT exposure remain limited. These limitations impede the ability to evaluate how potential public health risks posed by MSAT exposure should be factored into project-level decision-making

within the context of NEPA.

Nonetheless, air toxics concerns continue to be raised on highway projects during the NEPA process. Even as the science emerges, we are duly expected by the public and other agencies to address MSAT impacts in our environmental documents. The FHWA, EPA, the Health Effects Institute, and others have funded and conducted research studies to try to more clearly define potential risks from MSAT emissions associated with highway projects. The FHWA will continue to monitor the developing research in this field.

### ***NEPA Context***

The NEPA requires, to the fullest extent possible, that the policies, regulations, and laws of the Federal Government be interpreted and administered in accordance with its environmental protection goals. The NEPA also requires Federal agencies to use an interdisciplinary approach in planning and decision-making for any action that adversely impacts the environment. The NEPA requires and FHWA is committed to the examination and avoidance of potential impacts to the natural and human environment when considering approval of proposed transportation projects. In addition to evaluating the potential environmental effects, we must also take into account the need for safe and efficient transportation in reaching a decision that is in the best overall public interest. The FHWA policies and procedures for implementing NEPA are contained in regulation at 23 CFR Part 771.

### ***Incomplete or Unavailable Information for Project-Specific MSAT Health Impacts Analysis***

In FHWA's view, information is incomplete or unavailable to credibly predict the project-specific health impacts due to changes in MSAT emissions associated with a proposed set of highway alternatives. The outcome of such an assessment, adverse or not, would be influenced more by the uncertainty introduced into the process through assumption and speculation rather than any genuine insight into the actual health impacts directly attributable to MSAT exposure associated with a proposed action.

The U.S. Environmental Protection Agency (EPA) is responsible for protecting the public health and welfare from any known or anticipated effect of an air pollutant. They are the lead authority for administering the Clean Air Act and its amendments and have specific statutory obligations with respect to hazardous air pollutants and MSAT. The EPA is in the continual process of assessing human health effects, exposures, and risks posed by air pollutants. They maintain the Integrated Risk Information System (IRIS), which is "a compilation of electronic reports on specific substances found in the environment and their potential to cause human health effects" (EPA, <http://www.epa.gov/iris/>). Each report contains assessments of non-cancerous and cancerous effects for individual compounds and quantitative estimates of risk levels from lifetime oral and inhalation exposures with uncertainty spanning perhaps an order of magnitude.

Other organizations are also active in the research and analyses of the human health effects of MSAT, including the Health Effects Institute (HEI). Two HEI studies are summarized in Appendix D of FHWA's Interim Guidance Update on Mobile source Air Toxic Analysis in NEPA Documents. Among the adverse health effects linked to MSAT compounds at high exposures are; cancer in humans in occupational settings; cancer in animals; and irritation to the respiratory tract, including the exacerbation of asthma. Less obvious is the adverse human health effects of MSAT compounds at current environmental concentrations (HEI, <http://pubs.healtheffects.org/view.php?id=282>) or in the future as vehicle emissions substantially decrease (HEI, <http://pubs.healtheffects.org/view.php?id=306>).

The methodologies for forecasting health impacts include emissions modeling; dispersion

modeling; exposure modeling; and then final determination of health impacts - each step in the process building on the model predictions obtained in the previous step. All are encumbered by technical shortcomings or uncertain science that prevents a more complete differentiation of the MSAT health impacts among a set of project alternatives. These difficulties are magnified for lifetime (i.e., 70 year) assessments, particularly because unsupportable assumptions would have to be made regarding changes in travel patterns and vehicle technology (which affects emissions rates) over that time frame, since such information is unavailable.

It is particularly difficult to reliably forecast 70-year lifetime MSAT concentrations and exposure near roadways; to determine the portion of time that people are actually exposed at a specific location; and to establish the extent attributable to a proposed action, especially given that some of the information needed is unavailable.

There are considerable uncertainties associated with the existing estimates of toxicity of the various MSAT, because of factors such as low-dose extrapolation and translation of occupational exposure data to the general population, a concern expressed by HEI (<http://pubs.healtheffects.org/view.php?id=282> ). As a result, there is no national consensus on air dose-response values assumed to protect the public health and welfare for MSAT compounds, and in particular for diesel PM. The EPA (<http://www.epa.gov/risk/basicinformation.htm#g> ) and the HEI (<http://pubs.healtheffects.org/getfile.php?u=395>) have not established a basis for quantitative risk assessment of diesel PM in ambient settings.

There is also the lack of a national consensus on an acceptable level of risk. The current context is the process used by the EPA as provided by the Clean Air Act to determine whether more stringent controls are required in order to provide an ample margin of safety to protect public health or to prevent an adverse environmental effect for industrial sources subject to the maximum achievable control technology standards, such as benzene emissions from refineries. The decision framework is a two-step process. The first step requires EPA to determine an "acceptable" level of risk due to emissions from a source, which is generally no greater than approximately 100 in a million. Additional factors are considered in the second step, the goal of which is to maximize the number of people with risks less than 1 in a million due to emissions from a source. The results of this statutory two-step process do not guarantee that cancer risks from exposure to air toxics are less than 1 in a million; in some cases, the residual risk determination could result in maximum individual cancer risks that are as high as approximately 100 in a million. In a June 2008 decision, the U.S. Court of Appeals for the District of Columbia Circuit upheld EPA's approach to addressing risk in its two step decision framework. Information is incomplete or unavailable to establish that even the largest of highway projects would result in levels of risk greater than deemed acceptable.

Because of the limitations in the methodologies for forecasting health impacts described, any predicted difference in health impacts between alternatives is likely to be much smaller than the uncertainties associated with predicting the impacts. Consequently, the results of such assessments would not be useful to decision makers, who would need to weigh this information against project benefits, such as reducing traffic congestion, accident rates, and fatalities plus improved access for emergency response, that are better suited for quantitative analysis.

Due to the limitations cited, a discussion such as the example provided in this Appendix (reflecting any local and project-specific circumstances), should be included regarding incomplete or unavailable information in accordance with Council on Environmental Quality (CEQ) regulations [40 CFR 1502.22(b)]. The FHWA Headquarters and Resource Center staff Victoria Martinez (787) 766-5600 X231, Bruce Bender (202) 366-2851, and Michael Claggett (505) 820-2047, are available to provide guidance and technical assistance and support.